



**TOWN OF HARPSWELL  
PLANNING BOARD MINUTES  
DECEMBER 20, 2006  
Approved January 17, 2007**

**MEMBERS PRESENT**

John Papacosma, Chairman  
Dorothy Carrier, Vice Chairman  
Joanne Rogers  
Kenneth Cichon  
Robin Brooks

**MEMBERS ABSENT**

**STAFF PRESENT**

Jay Chace, Planner  
Marsha Hinton, Recording Secretary

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The Town of Harpswell Planning Board meeting being duly advertised in the Times Record was called to order at 6:30 p.m. by Mr. Papacosma, Chairman.

**Minutes of November 15, 2006**

Ms. Carrier moved, seconded by Ms. Rogers to accept the minutes of November 15, 2006 as printed.  
Unanimous Approval

Mr. Papacosma, Chair, reviewed the Planning Board site visits on December 18, 2006, which were attended by all Planning Board members and Town Planner, Jay Chace. Mr. Papacosma, Chair, explained the hearing process and procedures for the Planning Board meeting.

**OLD BUSINESS**

No old business.

**NEW BUSINESS**

**ITEM 1**

**06-12-01** William M. Coombs ( Frederick Young – owner), Reconstruction of Non-Conforming Structure, Shoreland Residential, Tax Map 16-210, Eider Road, Harpswell.

Mr. Chace, Town Planner, distributed larger scaled plans to the Planning Board.

Mr. Coombs described the proposal, discussed fill, setbacks, erosion control measures, the concrete slab placement, drainage, and the holding tank.

The Planning Board discussed the constitution of the fill, the shed, setbacks, swales, holding tank configuration, comments by the plumbing inspector, state approval of the holding tank, water supply, erosion control, and the holding tank.

There being no further comment from members of the Planning Board, Mr. Papacosma, Chair, opened the floor to members of the public who wished to comment.

Peg Bonarrigo, stated that she felt the plan was superior to what is currently on the site and expressed concern with the impact of the fill on property to the west of the site.

Mr. Coombs stated that the fill would not cause an adverse impact to the westerly lot.

Steve Kenyon expressed his concern over the nearness of the holding tank to the setback to the easterly property, the reduction in the proposed plan to the road setback, and the difference in the property lines between the survey submitted by Mr. Young and a survey that Mr. Kenyon has.

Mr. Chace stated that the state has granted approval of the holding tank. Mr. Papacosma informed Mr. Kenyon that the Planning Board must consider what is before it and if there is a property line dispute that would need to be handled in a venue other than the Planning Board.

The Planning Board discussed § 10.3.2.2 of the Shoreland Zoning Ordinance with regard to size of the lot, slope of the land, potential for soil erosion, location of septic system, type and amount of vegetation to be removed, other structures on the site, and existing foundation. Mr. Coombs stated that the applicant would be using best management practices with regard to erosion control. Ms. Rogers moved, seconded by Ms. Carrier, to find that the applicant meets the requirements of Shoreland Zoning Ordinance § 10.3.2.2 to the greatest practical extent as it is being relocated in a less non-conforming manner than it is presently. Unanimous Approval

The Planning Board discussed the standards of Basic Land Use Ordinance § 13.4.7 with special attention to § 13.4.7.4 "Will not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat" and the proposed erosion control methods that will be used. Mr. Coombs described the specific erosion control methods that will be used.

Ms. Rogers moved, seconded by Mr. Brooks to find that the applicant meets the standards of § 13.4.7 of the Basic Land Use Ordinance with the condition that the applicant will adequately demonstrate to the Code Enforcement Office that the proposal will not adversely effect existing conditions. Unanimous Approval

**06-12-02** Douglas Johnson, (Theodore Spugnardi – Owner), Subdivision Amendment Review, Shoreland Residential, Tax Map 15-68, 24 Chart House Road, Harpswell.

Mr. Johnson described the proposal to amend the approved 1999 subdivision plan by moving a lot line and discussed road construction details. Mr. Johnson pointed out the proposal on a site plan and stated that it would be conforming to the required lot sizes. Mr. Johnson requested a waiver of § 9.15.3 to reduce the road size from 16 feet to 12 feet.

Mr. Papacosma opened the floor to members of the public who wished to comment on this agenda item.

Mr. Laguerre stated that the existing road is doing a good job of handling drainage, is adequate to its purpose and to enlarge it would require the removal of trees which would negatively impact drainage.

Ms. Carrier stated that the road was well built, is doing a good job with the drainage, has a large turn around at the end that will handle emergency vehicles and therefore moved, seconded by Ms. Rogers to grant the applicant's request for a waiver of § 9.15.3 of the Subdivision Ordinance to reduce the road width from 16 feet to 12 feet. Unanimous Approval

The Planning Board discussed the standards of Shoreland Zoning Ordinance §9. Ms. Rogers moved, seconded by Ms. Carrier that based on the findings, established as part of the record, in the Town of Harpswell Planner's memorandum dated December 14, 2006 to find that the application of Theodore Spugnardi to amend the Standard Boundary Survey and Subdivision Plan, Land Of Spugnardi, Costello & Spugnardi, dated November 15, 1999 and recorded at the Cumberland County Registry of Deeds in Plan Book 199 Page 550 with the Standard Boundary Survey and Amended Subdivision Plan Revision of Lots 2 & 3, Land of Theodore

D & Donna G. Spugnardi & Carolyn M.K. Bachman, by Brian Smith Surveying, dated November 21, 2006 be approved. Unanimous Approval

The Planning Board signed the approved plan.

There being no other business before the Planning Board, **MS. CARRIER MOVED, SECONDED BY MS. ROGERS TO ADJOURN.**

Meeting adjourned at 8:06 p.m.

Respectfully Submitted,

Marsha M. Hinton  
Planning Assistant